

Good Samaritan Law

311.668 Immunity from civil liability for user of automated external defibrillator -- Exemption from KRS 311.667 for Good Samaritan.

- (1) Any person or entity who, in good faith and without compensation, renders emergency care or treatment by the use of an AED shall be immune from civil liability for any personal injury as a result of the care or treatment, or as a result of any act or failure to act in providing or arranging further medical treatment, where the person acts as an ordinary, reasonable prudent person would have acted under the same or similar circumstances.
- (2) The immunity from civil liability for any personal injury under subsection (1) of this section includes the licensed physician who is involved with AED site placement, the person or entity who provides the CPR and AED site placement, the person or entity who provides the CPR and AED training, and the person or entity responsible for the site where the AED is located.
- (3) The immunity from civil liability under subsection (1) of this section does not apply if the personal injury results from the gross negligence or willful or wanton misconduct of the person rendering the emergency care.
- (4) The requirements of KRS 311.667 shall not apply to any individual using an AED in an emergency setting if that individual is acting as a Good Samaritan under KRS 411.148 and KRS 313.257.

Effective: July 14, 2000

History: Created 2000 Ky. Acts ch. 16, sec. 4, effective July 14, 2000.

313.257 Nonliability of licensees for emergency care.

No person licensed under this chapter, who in good faith renders emergency care at the scene of the emergency, shall be liable for any civil damages as a result of any acts or omissions by such person in rendering the emergency care.

History: Created 1964 Ky. Acts ch. 12, sec. 28.

411.148 Nonliability of licensees and certified technicians for emergency care.

- (1) No physician licensed under KRS Chapter 311, registered or practical nurse licensed under KRS Chapter 314, person certified as an emergency medical technician by the Kentucky Cabinet for Health and Family Services, person certified by the American Heart Association or the American Red Cross to perform cardiopulmonary resuscitation, or employee of any board of education established pursuant to the provision of KRS 160.160, who has completed a course in first aid and who maintains current certification therein in accordance with the standards set forth by the American Red Cross shall be liable in civil damages for administering emergency care or treatment at the scene of an emergency outside of a hospital, doctor's office, or other place having proper medical equipment excluding house calls, for acts performed at the scene of such emergency, unless such acts constitute willful or wanton misconduct.
- (2) Nothing in this section applies to the administering of such care or treatment where the same is rendered for remuneration or with the expectation of remuneration.
- (3) The administering of emergency care or treatment at the scene of an emergency by employees of a

board of education shall not be considered to be rendered for remuneration or with the expectation of remuneration because such personnel perform such care as part of their regular professional or work responsibilities for which they receive their regular salaries from the school board which is their employer.

Effective: June 20, 2005

History: Amended 2005 Ky. Acts ch. 99, sec. 647, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 426, sec. 599, effective July 15, 1998. -- Amended 1980 Ky. Acts ch. 3, sec. 1, effective July 15, 1980. -- Amended 1974 Ky. Acts ch. 74, VI, sec. 107(1 1). -- Created 1972 Ky. Acts ch. 35, sec. 1.